

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

Joshua J. Hintz

APR 25 AM 8:37  
U.S. DISTRICT COURT  
WESTERN DISTRICT OF WISCONSIN

(Full name of plaintiff(s))

VS

Internal Revenue Service

Case Number:

11 C 0297 SLC

(Supplied by clerk)

(Full name of defendant(s))

**COMPLAINT**

**A. JURISDICTION**

1. Joshua J. Hintz, resides at

2811 Abbe Hill Dr., at Eau Claire, WI  
(Address) (City, State)

2. Defendant Internal Revenue Service is employed as

at 211 W. Wisconsin Ave. Milwaukee, WI  
(Position and Title, if any) (Address)

53203

3. Defendant \_\_\_\_\_ is employed as

(Name of Second Defendant)

at

(Address)

**B. CAUSE OF ACTION**

On the space provided on the following pages, tell what specific incidents or conversations occurred which led you to believe your constitutional or federal rights have been or are presently being violated. **IT IS IMPORTANT THAT THE ALLEGATIONS BE BRIEF, BUT SPECIFIC.** Do not cite legal authorities, such as earlier court decisions or laws enacted by the legislature or Congress, to support your lawsuit at this early stage of your case.

See attachments

C. REQUEST FOR RELIEF

1. I do not request that I be allowed to commence this action without  
(do, do not) prepayment of fees and costs, or security therefor, pursuant to 28 U.S.C. §1915. The attached affidavit of indigency has been completed and is submitted in support of this request for leave to proceed in forma pauperis.
2. In the following space, please indicate exactly what it is you wish this court to do.

See attachments

Dated this 20<sup>th</sup> day of April, 2011.

Joshua J. Hirth  
(Signature)

2811 Abbe Hill Dr.  
(Street or PO Box)

Eau Claire WI 54703  
(City, State Zip Code)

715 - 523 - 2425  
(Area Code and Phone Number)

To whom it may concern:

I am contesting my liability for IRS taxes due from Trac Inc. for tax periods of June 2005 and December of 2005. As of February 28, 2005 I resigned from the vice president and secretary position of Trac Inc. because I could no longer handle or agree with the direction the company was headed. (See enclosed accepted resignation). Because of the stress I took a leave of absence in March of 2005 and started looking for a new job that would work with the schedule I needed so I could go to college and get a degree. In May of 2005 I still had not found a new job and was offered a position as warehouseman at Trac Inc. which I took because I needed the income. That job did not work out and in October of 2005 I was offered a position as a dispatcher of trucks to deliver loads at Trac Inc. Like other dispatchers I was told when to sign various expense checks only when no one else was available to do so. I continued to look for another job during this time. I found a temporary position as a janitor at a local hospital that I started in September 2007 along with my college courses at UW Eau Claire. At present I am working as a janitor and going to college and will be for the next 4 years.

I have paid on my behalf \$459.37. Enclosed are the following forms: a notarized document that verifies I did not have permission to make payments and did not have permission to issue checks, and letter of resignation. I have never owned any part of this company at any time. It was always owned and controlled by a relative of mine.

**What I want the court to do.**

I want the court to put a hold on my IRS account to prevent further collection action until my case is resolved. I want the court to allow me to explain why I am not responsible for IRS tax periods of June 2005 and December of 2005.

Submitted by,  
*Joshua Hintz*  
Joshua Hintz